## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)
	) 8:05CR129
Plaintiff,	)
	)
vs.	) ORDER
	)
MARCO ANTONIO CASTILLO-RAMIREZ,	)
	)
Defendant.	)

This matter is before the court on the motion of James Martin Davis to withdraw as counsel for the defendant, Marco Antonio Castillo-Ramirez (Castillo-Ramirez) (Filing No. 21). The court held a hearing on the motion on April 25, 2005, and determined the motion should be granted. Further the court determined Castillo-Ramirez is eligible for appointment of counsel pursuant to the Criminal Justice Act, 18 U.S.C. §3006A, and the Amended Criminal Justice Act Plan for the District of Nebraska. Michael D. Gooch, 12826 Shirley Street, Omaha, NE 68144, (402) 333-0722, is appointed to represent Castillo-Ramirez for the balance of these proceedings pursuant to the Criminal Justice Act. Mr. Davis shall forthwith provide Mr. Gooch with the discovery materials provided the defendant by the government and such other materials obtained by Mr. Davis which are material to Castillo-Ramirez's defense.

The clerk shall provide a copy of this order to the Office of the Federal Public Defender.

Castillo-Ramirez is given until **on or before May 17, 2005**, in which to file pretrial motions pursuant to the progression order (Filing No. 14). The ends of justice have been served by granting such additional time and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** between **April 25, 2005** and **May 17, 2005**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel requires additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

## IT IS SO ORDERED.

DATED this 28th day of April, 2005.

BY THE COURT:

s/Thomas D. Thalken United States Magistrate Judge